IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

C.W.P. No. 5030 of 2006

Date of Decision: October 28, 2006

Smt. Roshani Devi

…..Petitioner

Vs.

State of Haryana and others

…..Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR.

HON'BLE MR. JUSTICE M.M.S. BEDI.

Present:- Mr. L.S. Beniwal, Advocate
for the petitioner.

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M.M. KUMAR, J. (ORAL)

The prayer made by the petitioner in the instant petition is that the impugned order dated December 14, 2005 (P-2) passed by District Education Officer, Sonepat, rejecting her representation in pursuance to the direction issued by this Court in its order dated August 2, 2005 (Civil Writ Petition No. 11898 of 2005) holding that the petitioner has been given ACP scale which is next higher on the post of JBT as per Rules. With regard to the other grievance made by the petitioner that she was entitled to be considered for promotion to the post of Hindi Teacher w.e.f. the date person

junior to her Meera Devi was promoted, has also been rejected on the ground that the seniority number of Meera Devi was wrongly fixed at Sr. no.50 and after due consideration it has been discovered that Meera Devi in fact is junior to the petitioner and her name has been placed at seniority list number 127 which is as per the date of joining Sonepat District. On account of the aforementioned mistake, Meera Devi was promoted from the post of JBT teacher to the post of Hindi Teacher. According to the impugned order, after correcting the mistake in respect of her seniority, further steps are under progress for her demotion. Therefore, it cannot be said that any person junior to the petitioner has been promoted as the only person Smt.Meera Devi is likely to be reverted as per the impugned order.

After hearing the learned counsel, we find no merit in the petition. The impugned order dated December 14, 2005 (P-2) is in accordance with law and is liable to be upheld. Respondent No.5 Savita Dahiya is also senior to the petitioner and her name figures at Sr. No.75 of the seniority list, which has been placed on record alongwith Civil Misc. No.17373 of 2006. No other point has been urged.

Accordingly, the writ petition fails and the same is dismissed.

(M.M.KUMAR)
JUDGE

October 28, 2006
sanjay

(M.M.S.BEDI)
JUDGE